

* E-filed 2/20/08 *

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

3M COMPANY,

Plaintiff,

v.

MAURICE KANBAR, MK ENTERPRISES,
INC., ROLLIT, LLC, AND REX PRODUCTS,
INC.,

Defendants.

Case No. CV 06-01225 HRL

**ORDER ON MOTIONS TO FILE
DOCUMENTS UNDER SEAL**

Re: Docket Nos. 110, 250, 304, and 328

Pursuant to Local Rule 79-5 and 7-11, both parties moved to file certain documents under seal. The original motions did not contain the proper supporting declarations and the parties were ordered to show cause why those documents should not be made part of the public record. *See* Docket Nos. 380-383. Based on the parties' responses, the court orders as follows:

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Motion to File Under Seal: Docket No. 250

The following documents were initially submitted under seal by Plaintiff pursuant to Defendants' designation of the documents as confidential:

1. The unredacted version of 3M's Motion to Compel. (Docket No. 253).
2. Exhibit 1 to the Adkisson Declaration in Support of 3M's Motion to Compel. (Docket No. 254).
3. Exhibit 14 to the Adkisson Declaration in Support of 3M's Motion to Compel. (Docket No. 254).

Defendants now advise that they do not oppose filing in the public record for the first two of these documents. *See* Docket No. 401. Therefore, the court ORDERS Docket No. 253 and Exhibit 1 to Docket No. 254 to be filed in the public record. Plaintiff shall RESUBMIT these documents for filing in electronic form no later than **February 29, 2008**.

With respect to Exhibit 14 to Docket No. 254, Defendants have shown good cause for filing under seal. A redacted version of this document has already been filed in the public record. The Clerk shall file the original document under seal. Plaintiff's Motion to file Documents under Seal [Docket No. 250] is thus GRANTED IN PART and DENIED IN PART.

Motion to File Under Seal: Docket No. 304

The following documents were initially submitted under seal by Plaintiff pursuant to its own designation of the documents as confidential:

1. Pages 1, 6, 7, and 9-16 to Plaintiff's Opposition to Motion To Compel. (Docket No. 300).
2. Exhibits 1, 9, 15, and 16 to the Chaplin Declaration in Support of Plaintiff's Opposition. (Docket No. 301).

Plaintiff has now shown good cause to file all of these documents under seal. *See* Docket No. 399. A redacted version of these documents has already been filed in the public record. The Clerk shall file the original documents under seal. Plaintiff's Motion [Docket No. 304] is thus GRANTED.

Motions to File Under Seal: Docket Nos. 110, 328

Defendants did not file supplemental declarations or otherwise respond to two of the Orders to Show Cause: Docket Number 380 (dealing with Motion to Seal [Docket No. 110]) and Docket Number 383 (dealing with Motion to Seal [Docket No. 328]). Both orders specifically stated that if the court did not receive supplemental declarations by November 9, 2007, then the underlying documents would be made part of the public record.

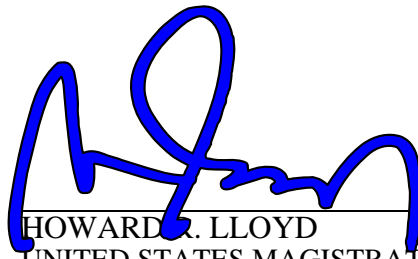
Therefore, the motions to file under seal are DENIED and the court ORDERS the following to be filed in the public record:

1. Pages 2 and 3 to Plaintiff's Memorandum in Opposition to Defendants' Motion to Compel. (Docket No. 107).
2. Exhibits 3, 4, and 20 to Leviton Declaration in Support of Opposition. (Docket No. 108).
3. Pages 2-4 and 7 to Plaintiff's Reply Memorandum in Support of its Motion to Compel. (Docket No. 331).

Plaintiff shall resubmit the unredacted versions of Docket Numbers 107, 108 and 331 for filing in electronic form no later than February 29, 2008.

IT IS SO ORDERED.

Dated: 2/20/08



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

THIS SHALL CERTIFY THAT A COPY OF THIS ORDER WILL BE SENT TO:

John Cameron Adkisson jca@fr.com, mla@fr.com

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* Counsel are responsible for providing copies of this order to co-counsel.

Dated: 2/20/08

/s/ KRO

Chambers of Magistrate Judge Lloyd